

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

CHRISTOPHER TERRANCE,)

Case No. 8:18-MJ-545 (GLF)

Defendant.)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

From on or about June 30, 2017 through August 1, 2018 in the county of Franklin in the Northern District of New York the defendant violated:

Code Section
 18 U.S.C. § 2422(b)
 18 U.S.C. § 2423(b) and (e)

Offense Description
 Attempted Enticement and Coercion of a Minor
 Attempted Travel with Intent to Engage in Illicit Sexual Conduct

This criminal complaint is based on these facts:
 See Attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Special Agent Chad J. Willard, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: September 20, 2018

Judge's signature

City and State: Plattsburgh, New York

Hon. Gary L. Favro, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Chad J. Willard of United States Department of Homeland Security, Homeland Security Investigations (HSI), being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Special Agent with Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) and have been so employed since August 6, 2006. I graduated from the Criminal Investigator Training Program and the ICE Special Agent Training programs at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA. I am currently assigned to the HSI resident agent in charge office in Massena, NY. I have participated in investigations involving fraud, alien smuggling, narcotics smuggling, child pornography and intellectual property rights. I have conducted or participated in surveillance, execution of search warrants and debriefing of subjects. I have received specialized training in the area of child pornography and child exploitation, and I have had the opportunity to observe and review numerous examples of child pornography, as defined in Title 18 United States Code, Section 2256.

2. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations and to make arrests for Title 18 offenses enumerated in Section 2516 of Title 18, United States Code.

3. This affidavit is made in support of a criminal complaint charging Christopher S. TERRANCE with Attempted Enticement and Coercion of a Minor in violation of Title 18, United States Code, Sections 2422(b) and Attempted Travel with Intent to Engage in Illicit Sexual Conduct, in violation of Title 18, United States Code, Sections 2423(b) and (e).

4. The statements in this affidavit are based in part on information provided by the

Saint Regis Mohawk Tribal Police (SRMTP) and on my investigation of this matter. Since this affidavit is being submitted for the limited purpose of supporting a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Christopher S. TERRANCE has committed violations of Title 18, United States Code, Sections 2422(b) and 2423(b) and (e).

PROBABLE CAUSE

5. SRMTP Patrolman Casey Jacobs advised me that on July 3, 2018, a complainant reported that he saw messages on a 16-year-old girl's Facebook account between the girl (hereinafter "Victim 1") and an adult male identifying himself as Chris TERRANCE. The following table includes the date of the conversations and the substance:

Date	Conversation
6/30/17	TERRANCE: Hi. How old are you?
7/7/17	TERRANCE: No answer. Lol Victim 1: Sorry lol I just got fb don't really know how to use it
7/11/17	TERRANCE: New to fb?! Really! Lol. Still didn't answer my question tho Victim 1: I'm only 15 TERRANCE: Oh really? Hmm should not be talking then huh? Lol TERRANCE: Only 15 damn! Lol j/k Victim 1: [smiley face] well I'm about to go swimming lol TERRANCE: Wanna talk? I understand if not I'am quite a bit older. Haha geez feel like a creeper. Lol. I wanna go swimming! Victim 1: haha yeah since it's so hot outside it's gonna be nice TERRANCE: Yeah I'd love to go swimming with ya rite now. Gonna get myself in trouble. Bout to have your dad come in the store wanting to kick my ass. TERRANCE: I almost almost wanna ask to see your swimsuit. But I'm not.... Victim 1: wdyd? TERRANCE: Mean about what?? Victim 1: I just didn't get what that meant

7/11/17 Continued	<p>Victim 1: I just didn't get what that meant</p> <p>TERRANCE: Uhm meant about what? I said a few things</p> <p>Victim 1: The last one</p> <p>TERRANCE: Ohhh u said u was going swimming. I said I almost wanna ask if I could see your swimsuit. "u in it" lol sorry.</p> <p>TERRANCE: Yeah sorry.....</p> <p>...</p> <p>TERRANCE: So how was the water?</p> <p>Victim 1: Okay</p> <p>TERRANCE: Okay? It wasn't absolutely refreshing an invigorating after such a hot day</p> <p>Victim 1: I guess [laughing emoji]</p> <p>TERRANCE: See now that's more like it. Such a pretty smile! [smiley emoji]</p>
7/12/17	TERRANCE: Good morning
7/20/17	TERRANCE: Hi
8/2/17	TERRANCE: Hello
10/15/17	TERRANCE: Hi how's your weekend going?
11/15/17	TERRANCE: You looked really pretty today...
11/25/17	TERRANCE: What you doing tonight?
4/9/18	<p>TERRANCE: Hello</p> <p>TERRANCE: Hello</p>
6/27/18	TERRANCE: you glad to be done school

6. SRMTP obtained permission to assume Victim 1's Facebook account, and on July 3, 2018, Patrolman Jacobs began communicating with TERRANCE via Facebook as Victim 1. On that same day, TERRANCE asked Victim 1 if she ever "blazes," referring to smoking marijuana. Then TERRANCE stated, "Oh gonna say maybe we could smoke sometime. Lol its ok." Patrolman Jacobs as Victim 1 responded, "Idk I'd be afraid my dad would find out he's always asking who I hang with, he's always in my business." TERRANCE replied, "That's a good thing. Not for me lol. But maybe we could figure something out sometime?..." Patrolman Jacobs sent back a smiley face emoji to which TERRANCE replied, "Is that a yeah maybe?" Patrolman Jacobs as Victim 1 answered, "gotta go getting ready to leave. I've gotta be careful my parents wouldn't approve of me talking to a older mature guy or really any other boy they don't know about."

7. On July 6, 2018, TERRANCE sent a message that said, "I really wanna get to know you. Maybe try to hang out sometime. But like I said nothing you're not comfortable with. We can just keep talking im cool with that. So do I get your number when you get your new phone?" On July 9, 2018, Patrolman Jacobs transitioned the conversation from Facebook to text messaging. That day, TERRANCE sent a text message to Patrolman Jacobs posing as Victim 1 that said, "Is this really you? Lol." The conversation continued and TERRANCE asked Victim 1 if she was home alone and if she would like something from Tim Horton's coffee shop. Patrolman Jacobs acting as Victim 1 stated that her parents wouldn't approve of her having a boy over. TERRANCE responded, "You would be my angel (Kiss Emoticon) Well we'll figure something out if you want to." During this same conversation, Patrolman Jacobs acting as Victim 1 informed TERRANCE that Victim 1 is 16 years old.

10. On July 10, 2018, TERRANCE sent a photograph of himself to Victim 1. Then TERRANCE stated, "Sooo uhmmm what color panties you have on. I wanna rub you from head to toe with warm massage oil. Mmmm tease me please Wait til O get to tease you baby mmmmm you're gonna love it, Just remember to relax n enjoy I'll take care of you. I wanna see you."

11. Similarly, on July 15, 2018, TERRANCE sent a text message to Victim 1 which said, "So what color and kind of panties you wearing?" Patrolman Jacobs acting as Victim 1 responded, "Purple ones tonight." TERRANCE replied, "Mmm show me! Cant wait to slowly pull em down n kiss you there! Mmmm." Later in the conversation, TERRANCE sent a text message that said, "Text u when I get home. Im gonna come by your house to say hi in the morning It will be around 10 1030ish N give that booty a nice squeeze! Lol Mmmmmmm." Patrolman Jacobs acting as Victim 1 responded, "not sure what my mom would think, she can b a hard ass on me sometimes. Can't wait til I'm done w school so I can move out." TERRANCE replied,

“Hmm okay. We need to get together baby I wanna squeeze that booty so bad lol I get a lil hard just thinking of you.”

12. The next day, TERRANCE sent a text message to Victim 1 that said, “Soon baby Ima be all over you! But for now can I get a selfie sweetie? Cant wait to feel you n taste every inch of your sweet sexy body.” Patrolman Jacobs acting as Victim 1 responded, “Can’t wait for u to show me what u like.” TERRANCE stated, “Oh I will. You’ll like it too baby I love making my girl orgasm. You ever had one?” Patrolman Jacobs acting as Victim 1 responded, “You think it hurt the first time? U gonna get my v card lol.” TERRANCE stated, “It might. I’ll be as gentle as I can tho baby. Wanna make it good for you.” Later in the conversation, TERRANCE asked, “Should I get n carry some condoms?” Patrolman Jacobs acting as Victim 1 responded, “I don’t need to get pregnant the first time lol. Yess you’ll need them, I’m not buying them so that part up 2 you.” TERRANCE answered, “Ok I got you. Not pregnant the first time ok how bout the second time! Lol.”

13. From July 16, 2018 through August 1, 2018, SRMTP Patrolman Julie Smoke acted as Victim 1 in the text message conversations with TERRANCE. On July 20, 2018, TERRANCE and Patrolman Smoke acting as Victim 1 exchanged the following text messages:

TERRANCE: I jus got some things...lol

Victim 1: What did you get us

TERRANCE: [Sends a photograph of a 10 pack of Trojan Bareskin Latex Condoms]

TERRANCE: Yeah baby Im ready! Lol.

...

TERRANCE: But you’re my only Angel Give it time sweetie we’ll be on eachothers.

Victim 1: Really

TERRANCE: Yeah just can’t be rite away. You’ll get put in jail! Lol. Are you only mine?

Victim 1: Huh? Yes I’m urs

TERRANCE: Um underage. Get me put in jail...We have to keep us a secret for now. We gonna see eachother as soon as we can. It jus has to be shh for now baby.

14. On July 24, 2018, TERRANCE and Patrolman Smoke acting as Victim 1 exchanged text messages including a text messages from TERRANCE which said, "I wanna slowly pull off those panties n spread them thick juicy thighs n slowly start licking and kissing your ripe sweet peach! Til you're moaning and squirming, trembling and begging me to stop! Gonna make you orgasm all over my tongue," followed by, "Then after you orgasm all over my tongue Im gonna kiss my way up your body n slowly slide my big hard dick deep inside your tight juicy peach!"

15. On July 26, 2018, TERRANCE sent a text message to Victim 1 indicating that he took a picture for her. TERRANCE stated, "Yeah just cropped it its only half of it..." and then sent a picture of an adult male's erect penis that had been cropped to only show the top half.

16. On August 1, 2018, TERRANCE sent a photograph of himself to Victim 1. Throughout that day, TERRANCE and Patrolman Smoke acting as Victim 1 exchanged the following text messages in which they arranged to meet:

TERRANCE: I know its early but what time you think we can get together

Victim 1: Ummm IDK I'm spending the night...

TERRANCE: Yeah so are we gonna b able to see each other? Are you gonna be able to get out??

Victim 1: Yeah she's havin a small party so I can leave 4 a few

TERRANCE: Oh ok so wheres my smiling angel photo?

...

TERRANCE: Soooo EXCITED!

TERRANCE: Hello

TERRANCE: But oh soo nervous

TERRANCE: [kissing face]

Victim 1: I think we both r [kissing face]

TERRANCE: Yes we are. What are you wearing?

Victim 1: U will have to wait n see

TERRANCE: Okay...

...

TERRANCE: Think it will be better if we meet early or late?

Victim 1: what time is early

TERRANCE: Oh Idk early in the night or late tonight you tell me

Victim 1: I'm not goin over til later sooo I can txt u

TERRANCE: Ok sounds good

Victim 1: Bring some drinks?
TERRANCE: Maybee
Victim 1: [kissing face]
TERRANCE: Idk you're to young to b drinkn lol
Victim 1: ;) lol
TERRANCE: No perfume
Victim 1: Y
TERRANCE: Cant go home smelling your perfume
...
Victim 1: Goin 2 my friends where u wanna meet later?
TERRANCE: Idk. Text you in a bit....after I get my picture...lol
TERRANCE: So when would it b to late to pick u up. Hello
Victim 1: Sorry.. Wat times good for u? I'm sleeping over
TERRANCE: Maybee between 10 11...I want a pic first! Lol ;) [kiss face] [kiss face]
TERRANCE: Unless you don't wanna...
Victim 1: Don't wanna wat?
TERRANCE: Hang out
Victim 1: Yea I do I'm just nervous
TERRANCE: Me too. We don't have to do anything at all hang out drive around...or we don't have to hang out its on you
TERRANCE: Hmmm
Victim: [Photograph of Victim 1]¹ I didn't get dressed up 4 nothing ;) [kiss face]
TERRANCE: Oh baby!!!! [emojis]
TERRANCE: Where are we gonna meet? Or how we doing this...
Victim 1: One of my friends can drop me off at western door or twinleaf
TERRANCE: Oh ok...
TERRANCE: No condoms tonight
Victim 1: Lame
TERRANCE: Oh really? What if I meant I jus wasn't gonna use one? Hmmm? Lol ;)
Victim 1: Hmm... IDK what I would say or do
TERRANCE: Lol. Probly love it n end up carrying my bb...lo
Victim 1: OMG guess that could happen lol.
TERRANCE: Yeah probly unless I finished someplace else... ;)
...
TERRANCE: So this is really happening? Or m I gonna get there and be rushed by the police?

17. The conversation continued and they agreed to meet at Tim Horton's in Hogansburg, New York that night. Hogansburg is in Franklin County in the Northern District of New York.

¹ This photograph was sent with the permission of Victim 1 and Victim 1's parents.

18. Patrol units from SRMTP surveilled Tim Horton's after a text message was sent to TERRANCE stating Victim 1 was inside Tim Horton's waiting for him. TERRANCE arrived and SRMTP arrested him. Prior to placing TERRANCE in SRMTP's patrol car, officers conducted a pat down of his person. They found three condoms in TERRANCE's front pocket.

19. TERRANCE was transported to the SRMTP office for an interview. He waived his *Miranda* rights. During the interview, TERRANCE stated he left his home in Snye, Quebec and traveled into the United States to meet Victim 1 at Tim Horton's. He stated he knew that Victim 1 was 16 years old and he admitted to purchasing the condoms found in his pocket that night.

20. The sexual acts the defendant described and intended to engage in with Victim 1 (a person whom he believed to be a 16-year-old girl), would constitute, among others, the following crime under New York State's Penal Law:

New York State Penal Law Section 130.25, Rape in the Third Degree-- A person is guilty of rape in the third degree when being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old.²

CONCLUSION

21. Based on the foregoing information, there is probable cause to conclude that Christopher S. TERRANCE has attempted to knowingly entice an individual that has not attained the age of 18 years to engage in sexual activity using any means of interstate and foreign commerce and in and affecting such commerce and attempted to travel into the United States for the purpose of engaging in illicit sexual conduct with an individual that has not attained the age of 18 years, in violation of Title 18, United States Code, Section 2422(b), and Section 2423(b) and (e).

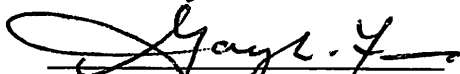
² TERRANCE's date of birth is X/XX/1984.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Chad J. Willard', written over a horizontal line.

Chad J. Willard
Special Agent
DHS/ICE/HSI

Subscribed and sworn to before me on
September 20th 2018

A handwritten signature in black ink, appearing to read 'Gary L. Favro', written over a horizontal line.

Hon. Gary L. Favro
United States Magistrate Judge